

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 23-10063 (SHL)

Jointly Administered

**THIRD DECLARATION IN SUPPORT OF THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS' APPLICATION FOR ENTRY OF AN ORDER  
AUTHORIZING THE EMPLOYMENT AND RETENTION OF WHITE & CASE LLP  
AS COUNSEL EFFECTIVE AS OF FEBRUARY 10, 2023**

I, Philip Abelson, pursuant to 28 U.S.C. § 1746, hereby declare that the following is true and correct to the best of my knowledge, information, and belief:

1. I am a partner of the firm of White & Case LLP (“**White & Case**”), an international law firm, which maintains offices for the practice of law at, among other locations, New York, New York. Among other admissions, I am a member in good standing of the Bar of the State of New York, and I have been admitted *pro hac vice* in connection with the above-captioned cases. There are no disciplinary proceedings pending against me in any jurisdiction.

2. I submit this declaration (the “**Third Declaration**”) pursuant to sections 328(a) and 1103 of title 11 of the United States Code (the “**Bankruptcy Code**”), Bankruptcy Rules 2014(a) and Rule 2016, and Local Rules 2014-1, 2016-1 and 9013-1 in support of the *Official Committee of Unsecured Creditors' Application for Entry of an Order Authorizing the Employment and Retention of White & Case LLP as Counsel Effective as of February 10, 2023* (the “**Application**”)

---

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number (or equivalent identifier), are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); and Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these chapter 11 cases, the service address for the Debtors is 250 Park Avenue South, 5th Floor, New York, NY 10003.

[Docket No. 136], filed March 16, 2023.<sup>2</sup> A first declaration in support of the Application by my partner Gregory G. Pesce was submitted as Exhibit B to the Application (the “**First Declaration**”). A second declaration in support of the Application by me was filed on October 30, 2023 [Docket No. 848] (the “**Second Declaration**”, and, together with the First Declaration, the “**Prior Declarations**”).

3. On April 13, 2023, the Court entered the *Order Authorizing the Employment and Retention of White & Case LLP as Counsel Effective as of February 10, 2023* [Docket No. 222].

4. To the extent that White & Case determines that any information disclosed herein requires amendment or modification upon White & Case’s completion of further analysis or as additional information becomes available to it, a supplemental declaration will be submitted to the Court reflecting the same. Except as otherwise noted, I have personal knowledge of the matters set forth herein.<sup>3</sup>

5. As noted in the Prior Declarations, White & Case has reviewed and will continue to review its files periodically during these chapter 11 cases with respect to known and newly-identified parties in interest. If any new relevant facts or relationship are discovered or arise, White & Case will use reasonable efforts to identify such developments and will promptly file a supplemental declaration.

#### **Supplemental Disclosure Regarding Potential Parties in Interest**

6. As stated in the Prior Declarations, W&C followed the procedure set forth in the First Declaration to conduct a disclosure review with respect to the Firm’s connections to potential

---

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Application.

<sup>3</sup> Certain of the disclosures herein relate to matters within the knowledge of attorneys or employees of White & Case and are based on information provided by them.

parties in interest and made disclosures with respect to such potential parties in interest in the Prior Declarations.

7. Recently, Ladan Stewart has joined White & Case as a partner in our White Collar Practice. Ms. Stewart was previously an enforcement attorney with the Securities and Exchange Commission (the “SEC”). Ms. Stewart has confirmed to me that she did not represent the SEC in connection with the Debtors.

8. Based on the foregoing, I do not believe that the foregoing precludes White & Case from meeting the standard for retention as the Committee’s counsel under the Bankruptcy Code.

**Reaffirmation of Statement of Disinterestedness**

9. Based on the foregoing, to the best of my knowledge and insofar as I have been able to ascertain, (a) White & Case is a “disinterested person” within the meaning of section 101(14) of the Bankruptcy Code, (b) White & Case holds no interest adverse under section 1103(b) of the Bankruptcy Code, and (c) White & Case has no connection to the Debtors, their creditors, or other parties in interest, except as may be disclosed in the Application, the Prior Declarations, or this Third Declaration. Accordingly, I respectfully submit that the requirements for White & Case’s retention as attorneys for the Committee have been met and maintained.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: February 22, 2024

Respectfully submitted,

/s/ Philip Abelson

Philip Abelson  
Partner, White & Case LLP